Official Form 417A (12/18)

[Caption as in Form 416A, 416B, or 416D, as appropriate]

#### NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part '	1: Identify the appellant(s	<u>s)</u>							
1.	Name(s) of appellant(s): Otis Davis								
2.	. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of th appeal:								
	For appeals in an adversary p	oroceeding	For appeals in a bankruptcy case and not in an adversary proceeding.						
	Defendant		☐ Debtor						
	Other (describe)								
			☐ Trustee ☐ Other (describe)						
			— Other (describe)						
<b>Part</b> 2	2: Identify the subject of		appealed from: Order Confirming the Joint G						
1.	Describe the judgment, order,	or decree	appealed from: Order Committing the Comme						
2.	State the date on which the ju	dgment, or	der, or decree was entered: November 9, 2023						
Dart 1	2: Idontify the other parti	os to the	annoal						
rait.	3: Identify the other parti	es to the	e appear						
		-	er, or decree appealed from and the names, addresses, additional pages if necessary):						
1.	Party: Debtors	Attorney:	Kirkland Ellis LLP 2124464800 601 Lexington Avenue						
			New York, New York 10022						
			T.J. McCARRACK, KRIS KOE						
2.	Party: UCC	Attorney:	White & Case LLP 212819820€						
	. a.ty	, monio,	1221 Avenue of the Americas						
			New York, New York 10020						
			BY: AARON COLODNY, GRE						

# <u>Part 4: Optional election to have appeal heard by District Court (applicable only in</u> certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

### Part 5: Sign below

Date: November 24, 2023

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

Otis Davis (917) 863-0101

320 West 38th Street, Apt 1606

New York, NY 10018

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

#### APPEARANCES:

KIRKLAND & ELLIS LLP

Attorneys for the Debtors and Debtors in Possession

601 Lexington Avenue New York, New York 10022

By: Joshua A. Sussberg, Esq.

-and-

300 North LaSalle Street

Chicago, Illinois, 60654 By: Patrick J. Nash Jr., Esq.

Ross M. Kwasteniet, Esq. Christopher S. Koenig, Esq. Dan Latona, Esq.

patrick.nash@kirkland.com (312) 862-2290

ross.kwasteniet@kirkland.com (312(862-2069

chris.koenig@kirkland.com (312) 862-2372

dan.latona@kirkland.com (312) 862-3445

tj.mccarrick@kirkland.com (202) 389-3136

#### WHITE & CASE LLP

Attorneys for the Official Committee of Unsecured Creditors

1221 Avenue of the Americas New York, NY 10020 By: David M. Turetsky, Esq.

Samuel P. Hersey, Esq. Joshua D. Weedman, Esq.

111 South Wacker Drive Suite 5100 Chicago, Illinois 60606 By: Michael C. Andolina, Esq.

Gregory F. Pesce, Esq. Gabriela Z. Hensley, Esq.

555 South Flower Street Suite 2700 Los Angeles, CA 90071 By: Aaron Colodny, Esq.

david-turetsky@whitecase.com (212) 819-8904

sam.hershey@whitecase.com (212) 819-2699

jweedman@whitecase.com (212) 819-8963

mandolina@whitecase.com (312) 881-5388

gpesce@whitecase.com (312) 881-5360

acolodny@whitecase.com (213) 620-7706

OFFICE OF THE UNITED STATES TRUSTEE 1 Bowling Green, Room 534 New York, NY 10004-By: Shara Cornell, Esq.

Mark Bruh, Esq.

shara.cornell@usdoj.gov (212) 510-0500

JS 44 (Rev. 04/242-10964-mg Doc 4033 Filed 11/24/23) Entered 11/27/23 13:49:16 Main Document

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS				DEFENDANTS								
Otis Davis				Celsius Network, LLC et. al.								
(b) County of Residence of First Listed Plaintiff New York County  (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant Hudson County (IN U.S. PLAINTIFF CASES ONLY)								
·				NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.								
(c) Attorneys (Firm Name, A	Address, and Telephone Number,	)		Attorneys (If Known) Kirkland & Ellis LLP								
Pro Se				601 Lexington Avenue								
II. BASIS OF JURISDI	ICTION (Place on "Y" in (	ne Roy Only)	III CI'	Ne York. NY TIZENSHIP OF			PARTIES	Place an "Y" in	Ona Roy f	Cor Plaintiff		
_	_	me Box Only)	CI	(For Diversity Cases Or	nly)			nd One Box for	Defendant)			
Plaintiff	U.S. Government Plaintiff    X   3   Federal Question (U.S. Government Not a Party)		Citize	en of This State	<b>PTF X</b> 1							
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship)	o of Parties in Item III)	Citize	en of Another State	2	<b>x</b> 2	Incorporated and Proof Business In A		5	<b>X</b> 5		
				en or Subject of a 3 5 Foreign Nation reign Country					<u> </u>	<u></u> 6		
IV. NATURE OF SUIT			EC	DEELTHDE/DENALT			or: Nature of St					
CONTRACT  110 Insurance	PERSONAL INJURY	PERSONAL INJURY		FORFEITURE/PENALTY 625 Drug Related Seizure		BANKRUPTCY  x 422 Appeal 28 USC 158		OTHER STATUTES  375 False Claims Act				
120 Marine 130 Miller Act 140 Negotiable Instrument	310 Airplane 315 Airplane Product Product Liability 365 Personal Injur Product Liabi			of Property 21 USC 8 90 Other	- 1⊨	423 Witho	drawal SC 157 LECTUAL	376 Qui Tam (31 U 3729(a)) 400 State Reappor				
150 Recovery of Overpayment Enforcement of Judgment	320 Assault, Libel & Slander	Pharmaceutical Personal Injury				820 Copyi	rights	410 Antitrust 430 Banks and Banking				
151 Medicare Act 152 Recovery of Defaulted	330 Federal Employers' Liability	Product Liability 368 Asbestos Personal				830 Patent 835 Patent - Abbreviated		450 Commerce 460 Deportation				
Student Loans	nt Loans des Veterans)  ary of Overpayment eran's Benefits  340 Marine 340 Marine Injury Product Liability  Liability PERSONAL PROPERT  350 Motor Vehicle 370 Other Fraud			Y LABOR 710 Fair Labor Standards Act		New 1	Drug Application	470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit (15 USC 1681 or 1692) 485 Telephone Consumer				
153 Recovery of Overpayment						840 Trade 880 Defen	mark  Id Trade Secrets					
of Veteran's Benefits  160 Stockholders' Suits			$\square$ <sup>71</sup>			Act of	f 2016					
190 Other Contract	Product Liability	380 Other Personal	72	20 Labor/Management			IAL SECURITY Prote		tion Act			
195 Contract Product Liability 196 Franchise			74	Relations 740 Railway Labor Act 751 Family and Medical Leave Act		861 HIA ( 862 Black	(1395ff) : Lung (923)	490 Cable/Sat TV 850 Securities/Commodities/ Exchange 890 Other Statutory Actions				
_	362 Personal Injury - Medical Malpractice						C/DIWW (405(g)) Title XVI					
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITION		790 Other Labor Litigation		865 RSI (4		891 Agricu	ıltural Acts	S		
210 Land Condemnation 220 Foreclosure	440 Other Civil Rights 441 Voting	Habeas Corpus: 463 Alien Detainee	☐ <sup>79</sup>	11 Employee Retirement Income Security Act		FEDEDAI	L TAX SUITS	893 Environmental Matters 895 Freedom of Information				
230 Rent Lease & Ejectment	442 Employment 510 Motions to Vacate Sentence Sentence Accommodations 530 General 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 550 Civil Rights 448 Education 560 Civil Detainee -			IMMIGRATION		870 Taxes	(U.S. Plaintiff	Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes				
240 Torts to Land 245 Tort Product Liability						or De   871 IRS	efendant) -Third Party					
290 All Other Real Property						_	SC 7609					
			462 Naturalization Application 465 Other Immigration		ation							
				Actions								
		Conditions of Confinement										
V. ORIGIN (Place an "X" in	n One Box Only)		'		'							
		Lemanded from ppellate Court	4 Rein Reop	pened	nsferred other D ecify)		6 Multidistric Litigation - Transfer		Multidis Litigatio Direct F	on -		
VI. CAUSE OF ACTIO	Cite the U.S. Civil State 28 U.S.C. § 158(a)(3) Pt	ursuant to FRBP 8002	e filing (I	Do not cite jurisdictional	l statute:	es unless dive	ersity):					
	Brief description of cau Appealing Bankruptcy C		Confirmi	ng the Joint Chapter 1	1 Plan	of Celsius N	Network in regards	s to CEL Toke	n Valuatio	on		
VII. REQUESTED IN COMPLAINT:		DEMAND \$ CHECK YES only if demanded in complaint: 2 million JURY DEMAND: Yes No										
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE MARTIN G	GLENN			DOCKE	T NUMBER <u>22</u> -	10964 (MG)				
DATE		SIGNATURE OF ATT		OF RECORD		-						
November 24, 2023		Otis I	avis	2								
FOR OFFICE USE ONLY												
RECEIPT # AN	MOUNT	APPLYING IFP		JUDGI	Е		MAG. JUD	GE				

JS 44 (Rev. 04/242-10964-mg Doc 4033 Filed 11/24/23 Entered 11/27/23 13:49:16 Main Document

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purpose of initiating the civil do	ocket sileet. (SEE INSTRUC	TIONS ON NEAT PAGE O										
I. (a) PLAINTIFFS			DEFENDA	ANTS								
Otis Davis	Celsius Network, LLC et. al.											
(b) County of Residence of	County of Residence of First Listed Defendant Hudson County											
(Ελ	KCEPT IN U.S. PLAINTIFF CA	SES)	(IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.									
(c) Attorneys (Firm Name, A	Address, and Telephone Number	r)	Attorneys (If Known)									
		,	Kirkland & Ellis LLP									
Pro Se			601 Lexin Ne York			Ð						
II. BASIS OF JURISDI	ICTION (Place an "X" in C	One Box Only)		OF PR	INCIPAL PARTIES	(Place an "X" in One Box for Plaintiff and One Box for Defendant)						
1 U.S. Government Plaintiff			Citizen of This State	PTF   <b>X</b>   1	TF DEF PTF							
2 U.S. Government Defendant	4 Diversity (Indicate Citizenshi)	p of Parties in Item III)	Citizen of Another State	2	2 Incorporated <i>and</i> Principal Place of Business In Another State							
			Citizen or Subject of a Foreign Country	3	3 Greign Nation 6							
IV. NATURE OF SUIT		•		Click here for: Nature of Suit								
CONTRACT	TORTS		FORFEITURE/PEN		BANKRUPTCY	OTHER STATUTES						
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability  PERSONAL INJURY 365 Personal Injury - Product Liability 367 Health Care/		of Property 21 US		422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 INTELLECTUAL	375 False Claims Act 376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment						
150 Recovery of Overpayment & Enforcement of Judgment	320 Assault, Libel & Slander	Pharmaceutical Personal Injury		-	PROPERTY RIGHTS 820 Copyrights	410 Antitrust 430 Banks and Banking						
151 Medicare Act 152 Recovery of Defaulted	330 Federal Employers' Liability	Product Liability  368 Asbestos Personal		F	830 Patent	450 Commerce						
Student Loans	340 Marine	Injury Product			New Drug Application	460 Deportation 470 Racketeer Influenced and						
(Excludes Veterans)  153 Recovery of Overpayment	345 Marine Product Liability Liability PERSONAL PROPE		ΓΥ LABOR		840 Trademark	Corrupt Organizations 480 Consumer Credit						
of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud	710 Fair Labor Standa	ards	880 Defend Trade Secrets Act of 2016	(15 USC 1681 or 1692)						
160 Stockholders' Suits 190 Other Contract	355 Motor Vehicle Product Liability	371 Truth in Lending 380 Other Personal	Act 720 Labor/Manageme	ent	SOCIAL SECURITY	485 Telephone Consumer Protection Act						
195 Contract Product Liability	360 Other Personal	Property Damage	Relations		861 HIA (1395ff)	490 Cable/Sat TV						
196 Franchise	Injury	385 Property Damage	740 Railway Labor Act		862 Black Lung (923)	850 Securities/Commodities/						
	362 Personal Injury - Medical Malpractice	Product Liability	751 Family and Medic Leave Act	cal	863 DIWC/DIWW (405(g)) 864 SSID Title XVI	Exchange 890 Other Statutory Actions						
REAL PROPERTY				·  L	865 RSI (405(g))	891 Agricultural Acts						
210 Land Condemnation 220 Foreclosure	440 Other Civil Rights 441 Voting	Habeas Corpus:  463 Alien Detainee	791 Employee Retirer		FEDERAL TAX SUITS	893 Environmental Matters 895 Freedom of Information						
230 Rent Lease & Ejectment	ent Lease & Ejectment arts to Land 442 Employment 443 Housing/ Sentence 443 Housing/ Source Accommodations 530 General		Income Security Act		870 Taxes (U.S. Plaintiff	Act 896 Arbitration						
240 Torts to Land					or Defendant)							
245 Tort Product Liability 290 All Other Real Property			IMMIGRATIO	N L	871 IRS—Third Party 26 USC 7609	899 Administrative Procedure Act/Review or Appeal of						
			462 Naturalization Ap		20 886 7007	Agency Decision						
	446 Amer. w/Disabilities -	540 Mandamus & Othe		n		950 Constitutionality of						
	Other 550 Civil Rights 448 Education 555 Prison Condition 560 Civil Detainee - Conditions of Confinement		Actions			State Statutes						
V. ORIGIN (Place an "X" is	n One Box Only)		'	'		•						
	te Court	Remanded from Appellate Court	Reopened	Transferr Another I (specify)	District Litigation Transfer	I I						
VI. CAUSE OF ACTIO	28 U.S.C. § 158(a)(3) P	ursuant to FRBP 8002	e filing (Do not cite jurisdict	ional statut	tes unless diversity):							
	Brief description of ca		Confirming the Joint Chapt	ter 11 Plan	of Celsius Network in regard	ls to CEL Token Valuation						
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER RULE 23	IS A CLASS ACTION 3, F.R.Cv.P.	DEMAND \$ \$2 million		CHECK YES only <b>JURY DEMAND:</b>	if demanded in complaint:  Yes No						
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE <u>MARTIN</u> C	GLENN		DOCKET NUMBER _22	2-10964 (MG)						
DATE November 24, 2023		SIGNATURE OF ATT	ORNEY OF RECORD									
FOR OFFICE USE ONLY												
RECEIPT # AN	MOUNT	APPLYING IFP		JDGE	MAG. JUI	DGE						

JS 44 (Rev. 04/21)2-10964-mg Doc 4033 Filed 11/124/23 LEptered 11/127/23 13:49:16 Main Document

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-	(BEE INSTITUTE	110110 011 11211 11102 01	111101 010									
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Otis Davis				Celsius Network, LLC et. al.								
(b) County of Residence of First Listed Plaintiff New York County  (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant Hudson County (IN U.S. PLAINTIFF CASES ONLY)								
			NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.									
(c) Attorneys (Firm Name, A	Address, and Telephone Number	)		Attorneys (If Known)  Kirkland & Ellie LLD								
Pro Se				Kirkland & Ellis LLP 601 Lexington Avenue								
				Ne York NY 1	10022	)			+			
II. BASIS OF JURISDI	ICTION (Place an "X" in C	One Box Only)		ZENSHIP OF I or Diversity Cases Only		CIPAL PARTIES	Place an "X" in nd One Box for					
1 U.S. Government Plaintiff	_ ` `			PTF DEF PTF itizen of This State								
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship	o of Parties in Item III)	Citizen o	zen of Another State 2 <b>X</b> 2 Incorporated <i>and</i> Principal Place of Business In Another State					<b>x</b> 5			
	-			r Subject of a [ n Country	<u> </u>	6						
IV. NATURE OF SUIT		•	FOR		_	ck here for: Nature of Si						
CONTRACT	TORTS			FORFEITURE/PENALTY		BANKRUPTCY	375 False Claims Act					
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150 Recovery of Overpayment & Enforcement of Judgment	320 Assault, Libel & Slander	Pharmaceutical Personal Injury				PROPERTY RIGHTS	410 Antitri		inα			
151 Medicare Act	330 Federal Employers'	Product Liability				820 Copyrights 830 Patent	430 Banks and Banking 450 Commerce		115			
152 Recovery of Defaulted Student Loans	Liability 340 Marine	368 Asbestos Personal Injury Product				835 Patent - Abbreviated New Drug Application	460 Depor 470 Racke		nced and			
(Excludes Veterans)  153 Recovery of Overpayment	345 Marine Product Liability	Liability PERSONAL PROPERT	v	LABOR		840 Trademark	Corrupt Organizations 480 Consumer Credit					
of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud	710 F	10 Fair Labor Standards		880 Defend Trade Secrets Act of 2016	(15 USC 1681 or 1692)					
160 Stockholders' Suits 190 Other Contract	355 Motor Vehicle Product Liability	371 Truth in Lending 380 Other Personal		act abor/Management		SOCIAL SECURITY	485 Telephone Consumer Protection Act		ımer			
195 Contract Product Liability	360 Other Personal	Property Damage	_ F	Relations		861 HIA (1395ff)	490 Cable/	Sat TV				
196 Franchise	Injury 385 Property Damage 362 Personal Injury - Product Liability			740 Railway Labor Act 751 Family and Medical		862 Black Lung (923) 863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange					
DEAL BRODEDTW	Medical Malpractice	PRISONER PETITION		Leave Act		864 SSID Title XVI	890 Other	-				
210 Land Condemnation	REAL PROPERTY CIVIL RIGHTS  10 Land Condemnation 440 Other Civil Rights			790 Other Labor Litigation 791 Employee Retirement		865 RSI (405(g))	891 Agricu 893 Enviro					
220 Foreclosure	441 Voting	463 Alien Detainee	I I	ncome Security Act		FEDERAL TAX SUITS	895 Freedo	om of Infor	mation			
230 Rent Lease & Ejectment 240 Torts to Land						870 Taxes (U.S. Plaintiff or Defendant)	Act 896 Arbitra	ation				
245 Tort Product Liability	Accommodations	530 General				871 IRS—Third Party	899 Admir	nistrative P				
290 All Other Real Property	445 Amer. w/Disabilities - 535 Death Penalty Employment Other:		_	MMIGRATION aturalization Application	on	26 USC 7609	Act/Review or Appeal of Agency Decision					
	446 Amer. w/Disabilities -	540 Mandamus & Other	r 465 C	465 Other Immigration Actions			950 Consti	onstitutionality of				
	Other 448 Education	550 Civil Rights 555 Prison Condition	A				State S	Statutes				
	560 Civil Detainee -											
		Conditions of Confinement										
V. ORIGIN (Place an "X" in	One Box Only)				'			-	-			
A		Remanded from Appellate Court	4 Reinstat Reopen		ner Dis	1 1		Multidis Litigatio Direct F	on -			
VI. CAUSE OF ACTIO	28 U.S.C. § 158(a)(3) P		e filing (Do i	not cite jurisdictional si	tatutes i	unless diversity):						
, we care and or are are	Brief description of cat		Confirming	the Joint Chapter 11	Plan of	Celsius Network in regards	s to CEL Toke	n Valuatic	on			
VII. REQUESTED IN COMPLAINT:		DEMAND \$ CHECK YES only if demanded in complaint:  52 million JURY DEMAND: Yes No										
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE MARTIN G	SLENN			DOCKET NUMBER 22-	10964 (MG)					
DATE		SIGNATURE OF ATTO		RECORD			, ,					
November 24, 2023		Otis D										
FOR OFFICE USE ONLY												
RECEIPT # AN	MOUNT	APPLYING IFP		JUDGE		MAG. JUD	GE					

## JS 44 Reverse (122-41-0)964-mg Doc 4033 Filed 11/24/23 Entered 11/27/23 13:49:16 Main Document Pg 8 of 8

#### INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

  United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box. Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

  Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.
- V. Origin. Place an "X" in one of the seven boxes.
  - Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date. Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.

Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

  Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.

  Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.